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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,569	12/14/2001	Judson A. Lehman	US018183	8131

7590 06/24/2004

Corporate Patent Counsel  
Philips Electronics North America Corporation  
580 White Plains Road  
Tarrytown, NY 10591

EXAMINER

DAMIANO, ANNE L

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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JUL 07 2004

Technology Center 2100

<b>Office Action Summary</b>	<b>Application No.</b> 10/017,569	<b>Applicant(s)</b> LEHMAN ET AL.	
	<b>Examiner</b> Anne L Damiano	<b>Art Unit</b> 2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Parrish  
(6,631,483)

As in claim 1, Parrish discloses a method for enhancing the security of a system operating in conjunction with a clock signal from a system clock (column 1: lines 45-47) (The system protecting against failure is taking safety measures to increase the stableness or security of the system.), comprising:

Monitoring the system for detecting a fault (loss of signal from clock) in the system (column 2: lines 47-49 and column 10: lines 60-64);

Upon detection of a fault, switching the system from operating in conjunction with a clock signal from the system clock to operate in conjunction with a secure clock signal from a secure clock (column 2: lines 49-58, column 10: line 65-column 11: line 22). (The acceptability of secondary reference clock is checked and the switchover is made if the secondary clock is acceptable. The second clock being acceptable means it is a reliable and secure clock.)

As in claim 2, Parrish discloses the method of claim 1, wherein the system is switched to operate in conjunction with a secure clock signal from one of a plurality of secure clocks (column 8: lines 45-57). (The “health” of the candidate reference clock signals is evaluated meaning that if the clocks are considered “healthy,” they are reliable and secure.)

As in claim 3, Parrish discloses the method of claim 1, further comprising:  
Monitoring the system operating in conjunction with a clock signal from a secure clock,  
Upon detecting cessation of said fault in the system (recovery), switching the system to again operate in conjunction with a clock signal from the system clock (column 10: lines 53-59).

As in claim 4, Parrish discloses the method of claim 3, further comprising switching the system back to the clock signal from the system clock even if the system clock is not operating (column 10: line 60-column 13).

As in claim 5, Parrish discloses the method of claim 1 further comprising monitoring the system for detecting a fault associated with one of an over-frequency and under-frequency clock signals from the system clock (column 5: lines 61-65). (Detecting all clock failures includes monitoring for over and under frequency clock signals.)

As in claim 6, Parrish discloses the method of claim 1, further comprising:

When switching the system to operate in conjunction with the secure clock signal from the secure clock, preventing the clock signal from having short transitions that do not cross the logic threshold from a high to low state or a low to high state (column 10 line 65-column 11: line 14). (When switching, the system enters into holdover mode, in which the internal reference clock drives the clock generator, which, in turn, is preventing the clock signal from having short transitions that do not cross the logic threshold from a high to low state or a low to high state.)

As in claim 7, Parrish discloses the method of claim 1, wherein when switching from the clock signal of the system clock to the secure clock signal of the secure clock, the clock signal has an extend low time (column 11: lines 14-24).

As in claim 8, Parrish discloses the method of claim 1 further comprising multiplexing together clock signals from the system clock and from at least one secure clock and, upon detecting a fault, selecting one of the multiplexed clock signals for operating the system (column 9: lines 48-53).

As in claim 9, Parrish discloses the method of claim 3 further comprising, when switching between clock signals, waiting until the clock signal, which is being switched from, transitions to a low state (column 11: lines 14-23).

As in claim 10, Parrish discloses an apparatus for enhancing the security of a system operating in conjunction with a clock signal from a system clock, the apparatus comprising:

A secure clock generating a secure clock signal (column 8: lines 45-57) (The “health” of the candidate reference clock signals is evaluated meaning that if the clocks are considered “healthy,” they are reliable and secure.);

A clock monitor circuit configured to monitor the system for detecting a fault (loss of signal from clock) (column 2: lines 47-49 and column 10: lines 60-64);

Clock switching circuitry, the clock switching circuitry operably coupled to the clock monitor circuit, the system clock signal and the secure clock signal (column 2: lines 53-58);

The clock switching circuitry configured, upon the detection of a fault, to switch the system from operating in conjunction with a clock signal from the system clock to operate in conjunction with a secure clock signal from a secure clock (column 2: lines 49-58, column 10: line 65-column 11: line 22). (The acceptability of secondary reference clock is checked and the switchover is made if the secondary clock is acceptable. The second clock being acceptable means it is a reliable and secure clock.)

As in claim 11, Parrish discloses the apparatus of claim 10, further comprising: a plurality of secure clocks with secure clock signals; the clock switching circuitry operably coupled to plurality of secure clock signals for switching the system to operate in conjunction with one of the secure clock signals (column 8: lines 45-57). (The “health” of the candidate reference clock signals is evaluated meaning that if the clocks are considered “healthy,” they are reliable and secure.)

As in claim 12, Parrish discloses the apparatus of claim 10, wherein the secure clock includes a ring oscillator (column 6: lines 61-65).

As in claim 13, Parris discloses the apparatus of claim 10, wherein the clock monitor circuit is configured to detect the cessation of the detected fault;

The clock switching circuitry further configured to switch the system to again operate in conjunction with a clock signal from the system clock upon detecting the cessation of said fault (column 10: lines 53-59).

As in claim 14, Parrish discloses the apparatus of claim 10 wherein the clock monitor circuit is configured to monitor the system for detecting a fault associated with one of an over-frequency and under-frequency clock signals from the system clock, the clock switching circuitry configured to switch the system to operate in conjunction with a secure clock signal from a secure clock to prevent over-frequency and under-frequency clocking of the system (column 5: lines 61-65). (Detecting all clock failures includes monitoring for over and under frequency clock signals.)

As in claim 15, Parrish discloses the apparatus of claim 14 wherein the clock monitor circuit includes frequency dividers; and, delay lines, the frequency dividers and delay lines configured to detect over-frequency and under-frequency clock signals from the system clock (column 8: lines 25-27).

As in claim 16, Parrish discloses an application specific integrated circuit (column 7: lines 31-37 and lines 48-56) comprising:

A processor (CPU);

A clock generating a system clock signal for operation of the processor (column 6: lines 31- 42);

The secure clock further generating a secure clock signal (column 8: lines 45-57) (The “health” of the candidate reference clock signals is evaluated meaning that if the clocks are considered “healthy,” they are reliable and secure.);

A clock monitor circuit configured to monitor the application specific integrated circuit for detecting a fault (column 2: lines column 8: lines 45-57);

Clock switching circuitry, the clock switching circuitry operably coupled to the clock monitor circuit, the system clock signal and the secure clock signal (column 2: lines 53-58);

The clock switching circuitry configured, upon the detection of a fault, to switch the processor from operating in conjunction with a system clock signal to operating in conjunction with the secure clock signal (column 2: lines 49-58, column 10: line 65-column 11: line 22). (The acceptability of secondary reference clock is checked and the switchover is made if the secondary clock is acceptable. The second clock being acceptable means it is a reliable and secure clock.)

As in claim 17, Parrish discloses the circuit of claim 16, further comprising:

A plurality of secure clocks with secure clock signals;

The clock switching circuitry operably coupled to plurality of secure clock signals for switching the system to operate in conjunction with one of the secure clock signals (column 8: lines 45-57). (The “health” of the candidate reference clock signals is evaluated meaning that if the clocks are considered “healthy,” they are reliable and secure.)

As in claim 18, Parrish discloses the circuit of claim 16, wherein the clock monitor circuit is configured to detect the cessation of the detected fault;

The clock switching circuitry further configured to switch the processor to again operate in conjunction with the system clock signal upon detecting the cessation of said fault (recovery) (column 10: lines 53-59).

As in claim 19, Parrish discloses the circuit of claim 16 wherein the clock monitor circuit is configured to monitor the circuit for detecting a fault associated with one of an over-frequency and under-frequency system clock signal, the clock switching circuitry configured to switch the processor to operate in conjunction with a secure clock signal from a secure clock to prevent over-frequency and under-frequency clocking of the processor (column 5: lines 61-65).

(Detecting all clock failures includes monitoring for over and under frequency clock signals.)

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


See PTO-892

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne L Damiano whose telephone number is (703) 305-8010. The examiner can normally be reached on M-F 9-6:30 first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALD



**SCOTT BADERMAN**  
**PRIMARY EXAMINER**

<b>Notice of References Cited</b>	Application/Control No. 10/017,569	Applicant(s)/Patent Under Reexamination LEHMAN ET AL.	
	Examiner Anne L Damiano	Art Unit 2114	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-2003/0212897 A1	11-2003	Dickerson et al.	713/200
	B	US-6,731,709 B2	05-2004	Doblar, Drew G.	375/357
	C	US-6,707,320 B2	03-2004	Trivedi et al.	327/20
	D	US-6,670,839 B2	12-2003	Kitahara, Takashi	327/292
	E	US-6,516,422 B1	02-2003	Doblar et al.	713/503
	F	US-6,359,945 B1	03-2002	Doblar, Drew G.	375/357
	G	US-6,341,149 B1	01-2002	Bertacchini et al.	375/356
	H	US-6,631,483 B1	10-2003	Parrish, Brent K.	714/55
	I	US-6,188,257 B1	02-2001	Buer, Mark Leonard	327/143
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number	10/017569
Filing Date	12/14/2001
First Named Inventor	LEHMAN, Judson A.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	US01 8183

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number No.-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns Lines, Where Relevant Passages or Relevant Figures Appear
AXW		US- 5 969 558	10-19-1999	SHINICHI, ABE	
AXW		US- 6 005 904	12-21-1999	KNAPP, DAVID J. ET AL.	
AXW		US- 4 667 328	05-19-1987	IMRAN, MIR	
		US- 5 357 146	10-18-1994	HEIMANN, MARTIN E.	
		US-			
		US-			

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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number (ctry <sup>3</sup> -no.-kind <sup>5</sup> , if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of cited document	Pages, Columns Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
AXW		WO 00 45244	08-03-2000	BUER, MARK		
AXW		EP 0 355 466	02-28-1990	MCDERMOTT, MARK W.		

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in capital letters), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature

*Mark L. Hermann*

Date Considered

6/16/04

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

# USPTO TO PROVIDE ELECTRONIC ACCESS TO CITED U.S. PATENT REFERENCES WITH OFFICE ACTIONS AND CEASE SUPPLYING PAPER COPIES

In support of its 21<sup>st</sup> Century Strategic Plan goal of increased patent e-Government, beginning in June 2004, the United States Patent and Trademark Office (Office or USPTO) will begin the phase-in of its E-Patent Reference program and hence will: (1) **provide downloading capability of the U.S. patents and U.S. patent application publications cited in Office actions** via the E-Patent Reference feature of the Office's Patent Application Information Retrieval (PAIR) system; and (2) **cease mailing paper copies of U.S. patents and U.S. patent application publications with Office actions** (in applications and during reexamination proceedings) except for citations made during the international stage of an international application under the Patent Cooperation Treaty (PCT). In order to use the new E-Patent Reference feature applicants must: (1) obtain a digital certificate and software from the Office; (2) obtain a customer number from the Office; and (3) properly associate patent applications with the customer number. Alternatively, copies of all U.S. patents and patent application publications can be accessed without a digital certificate from the USPTO web site, from the USPTO Office of Public Records, and from commercial sources. The Office will continue the practice of supplying paper copies of foreign patent documents and non-patent literature with Office actions. Paper copies of cited references will continue to be provided by the USPTO for international applications during the international stage.

## Schedule

June 2004	TCs 1600, 1700, 2800 and 2900
July 2004	TCs 3600 and 3700
August 2004	TCs 2100 and 2600

All U.S. patents and U.S. patent application publications are available on the USPTO web site. However, a simple system for downloading the cited U.S. patents and patent application publications has been established for applicants, called the E-Patent Reference system. As E-Patent Reference and Private PAIR require participating applicants to have a customer number, retrieval software and a digital certificate, all applicants are strongly encouraged to contact the Patent Electronic Business Center to acquire these items. To be ready to use this system by June 1, 2004, contact the Patent EBC as soon as possible by phone at 866-217-9197 (toll-free), 703-305-3028 or 703-308-6845 or electronically via the Internet at [ebc@uspto.gov](mailto:ebc@uspto.gov).

## **Other Options**

The E-Patent Reference function requires the applicant to use the secure Private PAIR system, which establishes confidential communications with the applicant. Applicants using this facility must receive a digital certificate, as described above. Other options for obtaining patents which do not require the digital certificate include the USPTO's free Patents on the Web program (<http://www.uspto.gov/patft/index.html>). The USPTO's Office of Public Records also supplies copies of patents for a fee (<http://ebiz1.uspto.gov/oems25p/index.html>). Commercial sources also provide U.S. patents and patent application publications.

*For complete instructions see the Official Gazette Notice, USPTO TO PROVIDE ELECTRONIC ACCESS TO CITED U.S. PATENT REFERENCES WITH OFFICE ACTIONS AND CEASE SUPPLYING PAPER COPIES, on the USPTO web site.*

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## Summary

The United States Patent and Trademark Office (Office or USPTO) plans in the near future to: (1) cease mailing copies of U.S. patents and U.S. patent application publications (US patent references) with Office actions except for citations made during the international stage of an international application under the Patent Cooperation Treaty and those made during reexamination proceedings, and (2) provide electronic access to, with convenient downloading capability of, the US patent references cited in an Office action via the Office's private Patent Application Information Retrieval (PAIR) system which has a new feature called "E-Patent Reference." Before ceasing to provide copies of U.S. patent references with Office actions, the Office shall test the feasibility of the E-Patent Reference feature by conducting a two-month pilot project starting with Office actions mailed after December 1, 2003. The Office shall evaluate the pilot project and publish the results in a notice which will be posted on the Office's web site ([www.USPTO.gov](http://www.USPTO.gov)) and in the Patent Official Gazette (O.G.). In order to use the new E-Patent Reference feature during the pilot period, or when the Office ceases to send copies of U.S. patent references with Office actions, the applicant must: (1) obtain a digital certificate from the Office; (2) obtain a customer number from the Office, and (3) properly associate applications with the customer number. The pilot project does not involve or affect the current Office practice of supplying paper copies of foreign patent documents and non-patent literature with Office actions. Paper copies of references will continue to be provided by the USPTO for searches and written opinions prepared by the USPTO for international applications during the international stage and for reexamination proceedings.

## Description of Pilot Project to Provide Electronic Access to Cited U.S. Patent References

On December 1, 2003, the Office will make available a new feature, E-Patent Reference, in the Office's private PAIR system, to allow more convenient downloading of U.S. patents and U.S. patent application publications. The new feature will allow an authorized user of private PAIR to download some or all of the U.S. patents and U.S. patent application publications cited by an examiner on form PTO-892 in Office actions, as well as U.S. patents and U.S. patent application publications submitted by applicants on form PTO/SB08 (1449) as part of an IDS. The retrieval of some or all of the documents may be performed in one downloading step with the documents encoded as Adobe Portable Document format (.pdf) files, which is an improvement over the current page-by-page retrieval capability from other USPTO systems.

## Steps to Use the New E-Patent Reference Feature During the Pilot Project and Thereafter

Access to private PAIR is required to utilize E-Patent Reference. If you don't already have access to private PAIR, the Office urges practitioners, and applicants not represented by a practitioner, to take advantage of the transition period to obtain a no-cost USPTO Public Key Infrastructure (PKI) digital certificate, obtain a USPTO customer number, associate all of their pending and new application filings with their customer number, install no-cost software (supplied by the Office) required to access private PAIR and E-Patent Reference feature, and make appropriate arrangements for Internet access. The full instructions for obtaining a PKI digital certificate are available at the Office's Electronic Business Center (EBC) web page at <http://www.uspto.gov/ebc/downloads.html>. Note that a notarized signature will be required to obtain a digital certificate.

To get a Customer Number, download and complete the Customer Number Request form, PTO-SB125, at <http://www.uspto.gov/web/forms/sb0125.pdf>. The completed form can then be transmitted by facsimile to the Electronic Business Center at (703) 308-2840, or mailed to the address on the form. If you are a registered attorney or patent agent, then your registration number must be associated with your customer number. This is accomplished by adding your registration number to the Customer Number Request form. A description of associating a customer number with an application is described at the EBC web page at [http://www.uspto.gov/ebc/registration\\_pair.html](http://www.uspto.gov/ebc/registration_pair.html).

The E-Patent Reference feature will be accessed using a new button on the private PAIR screen. Ordinarily all of the cited U.S. patent and U.S. patent application publication references will be available over the Internet using the Office's new E-Patent Reference feature. The size of the references to be downloaded will be displayed by E-Patent Reference so the download time can be estimated. Applicants and registered practitioners can select to download all of the references or any combination of cited references. Selected references will be downloaded as complete documents as Adobe Portable Document Format (.pdf) files. For a limited period of time, the USPTO will include a copy of this notice with Office actions to encourage applicants to use this new feature and, if needed, to take the steps outlined above in order to be able to utilize this new feature during the pilot and thereafter.

During the two-month pilot, the Office will evaluate the stability and capacity of the E-Patent Reference feature to reliably provide electronic access to cited U.S. patent and U.S. patent application publication references. While copies of U.S. patent and U.S. patent application publication references cited by examiners will continue to be mailed with Office actions during the pilot project, applicants are encouraged to use the private PAIR and the E-Patent Reference feature to electronically access and download cited U.S. patent and U.S. patent application publication references so the Office will be able to objectively evaluate its performance. The public is encouraged to submit comments to the Office on the usability and performance of the E-Patent Reference feature during the pilot. Further, during the pilot period registered practitioners, and applicants not represented by a practitioner, are encouraged to experiment with the feature, develop a proficiency in using the feature, and establish new internal processes for using the new access to the cited U.S. patents and U.S. patent application publications to prepare for the anticipated cessation of the current Office practice of supplying copies of such cited

references. The Office plans to continue to provide access to the E-Patent Reference feature during its evaluation of the pilot.

### Comments

Comments concerning the E-Patent Reference feature should be in writing and directed to the Electronic Business Center (EBC) at the USPTO by electronic mail at [eReference@uspto.gov](mailto:eReference@uspto.gov) or by facsimile to (703) 308-2840. Comments will be posted and made available for public inspection. To ensure that comments are considered in the evaluation of the pilot project, comments should be submitted in writing by January 15, 2004.

Comments with respect to specific applications should be sent to the Technology Centers' customer service centers. Comments concerning digital certificates, customer numbers, and associating customer numbers with applications should be sent to the Electronic Business Center (EBC) at the USPTO by facsimile at (703) 308-2840 or by e-mail at [EBC@uspto.gov](mailto:EBC@uspto.gov).

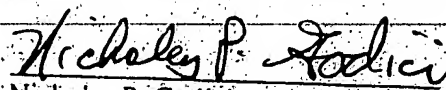
### Implementation after Pilot

After the pilot, its evaluation, and publication of a subsequent notice as indicated above, the Office expects to implement its plan to cease mailing paper copies of U.S. patent references cited during examination of non provisional applications on or after February 2, 2004; although copies of cited foreign patent documents, as well as non-patent literature, will still be mailed to the applicant until such time as substantially all applications have been scanned into IFW.

### For Further Information Contact

Technical information on the operation of the IFW system can be found on the USPTO website at <http://www.uspto.gov/web/patents/ifw/index.html>. Comments concerning the E-Patent Reference feature and questions concerning the operation of the PAIR system should be directed to the EBC at the USPTO at (866) 217-9197. The EBC may also be contacted by facsimile at (703) 308-2840 or by e-mail at [EBC@uspto.gov](mailto:EBC@uspto.gov).

Date, 12/1/03

  
Nicholas P. Godici  
Commissioner for Patents